



# Minutes

City Council Meeting  
20 Second Avenue SW, Oelwein  
August 14, 2023 - 6:00 PM

## Pledge of Allegiance

## Call to Order

Mayor DeVore called the meeting to order at 6:00PM.

## Roll Call

**Present:** Weber, Lenz, Garrigus, Seeders, Payne, Stewart

**Also Present:** Mayor DeVore, City Administrator Mulfinger, City Clerk Rigdon, Administrative Assistant Kaylonna McKee

Guest Councilmember Robby McKeeman, 714 3<sup>rd</sup> Ave SW

**Absent:** NA

## Additions or Deletions

A motion was made by Weber, seconded by Lenz to adopt the agenda as presented.

All aye. Motion carried.

## Citizens Public Comments

Anthony Ricchio, 522 W Charles, thanked the parks department and Council for their support of Italian Heritage Days. Groups from Des Moines and Italy had remarked how pleasant of a celebration it was.

Gary Wright, 982 1<sup>st</sup> Ave SW, requested additional time to remove items from 27 South Frederick.

Deb Howard, 150<sup>th</sup> Committee, thanked Council for their support in making the event successful. Though the bills have yet to be finalized, she believes she will be able to return approximately \$35,000 back to the city. Howard hopes the funds can go back into the Depot Park Project.

Robby McKeeman, 714 3<sup>rd</sup> Ave SW, discussed his reservations with City Code Section 19.3, he wishes for it to be more clear in what animals are and are not accepted within city limits.

## Consent Agenda

1. Consideration of a motion to approve the July 24, 2023 minutes.
2. Consideration of a motion approving the Class 'E' Retail License for Kwik Star #1156, 1350 Industrial Park Drive.
3. Consideration of a motion approving the Special Class 'C' Retail License for Top of Iowa Lucky Wife.
4. Consideration of a motion approving the Special Class 'B' Retail Native Wine License for Buds 'n Blossoms.

A motion was made by Stewart, seconded by Weber to approve the consent agenda.

All aye. Motion carried.

## Public Hearing

5. Public Hearing on August 14, 2023 at 6:00 PM at Oelwein Council Chambers for the Event Center Parking Lot project.

Mayor DeVore opened the public hearing.

No oral or written comments were received.

Mayor DeVore closed the public hearing.

## Resolutions

6. Consideration of a resolution approving the bid for the Event Center Parking Lot Improvements project to Bacon Concrete, LLC in the amount of \$212,515.43.

Bacon Concrete, LLC.	\$212,515.43
Skyline Construction, Inc.	\$229,955.21
Eastern Iowa Excavating and Concrete	\$232,373.65
Rausch Const. Inc.	\$237,535.44
Pirc-Tobin Construction Inc.	\$252,783.53
Offset Construction	\$252,876.35
Matt Construction	\$253,715.54
JQ Construction LLC	\$254,388.28
Baker Enterprises, Inc.	\$258,870.90
Tschiggfrie Exc. Co.	\$269,112.56
Midwest Concrete Inc.	\$297,602.09
Shift Companies	\$329,848.90

A motion was made by Weber, seconded by Garrigus to adopt Resolution No. 5435-2023.

Ayes: Weber, Lenz, Garrigus, Seeders, Payne, Stewart

Nays: NA

Motion carried.

7. Consideration of a resolution approving a three-year lease with George Tegeler for Fixed Based Operator (FBO) services at the Oelwein Municipal Airport (OLZ).

Payne requested the flow fee be raised from \$0.14 to \$0.15. Lenz recommended staff to look into renting the hangar to the Fixed Base Operator. Stewart requested the contract to be shortened to one year then be reevaluated by the Airport Manager.

A motion was made by Seeders, seconded by Weber to approve a three-year lease with George Tegeler for Fixed Based Operator services at the Oelwein Municipal Airport.

Ayes: Weber, Seeders

Nays: Lenz, Garrigus, Payne, Stewart

Motion failed.

8. Consideration of a resolution approving Pay Application No. 1 in the amount of \$35,324.85 for Oelwein NE Sanitary Sewer Improvements Project.

A motion was made by Weber, seconded by Lenz to adopt Resolution No. 5436-2023.

Ayes: Weber, Lenz, Garrigus, Seeders, Payne, Stewart

Nays: NA

Motion carried.

9. Consideration of a resolution to fix a date for a public hearing on proposal to enter into a Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$1,200,000.00.

A motion was made by Lenz, seconded by Weber to adopt Resolution No. 5437-2023.

Ayes: Weber, Lenz, Garrigus, Seeders, Payne, Stewart

Nays: NA

Motion carried.

10. Consideration of a resolution approving Change Order No. 1 in the amount of -(\$20,897.49) for Pool Backwash Drain Improvement project.

A motion was made by Stewart, seconded by Weber to adopt Resolution No. 5438-2023.

Ayes: Weber, Lenz, Garrigus, Seeders, Payne, Stewart

Nays: NA

Motion carried.

11. Consideration of a resolution approving Pay Application No. 1 in the amount of \$103,553.06 for the Pool Backwash Drain Improvement project.

A motion was made by Garrigus, seconded by Weber to adopt Resolution No. 5439-2023.

Ayes: Weber, Lenz, Garrigus, Seeders, Payne, Stewart

Nays: NA

Motion carried.

12. Consideration of a resolution approving Pay Application No. 3 in the amount of \$137,742.73 with Matt Construction for the Plaza Park Project.

A motion was made by Stewart, seconded by Garrigus to adopt Resolution No. 5440-2023.

Ayes: Weber, Lenz, Garrigus, Seeders, Payne, Stewart

Nays: NA

Motion carried.

13. Consideration of a resolution to resurface the tennis courts for \$34,000.00 in partnership with the Oelwein Community School District.

A motion was made by Seeders, seconded by Garrigus to adopt Resolution No. 5441-2023.

Ayes: Weber, Lenz, Garrigus, Seeders, Payne, Stewart

Nays: NA

Motion carried.

14. Consideration of a resolution to approve the FEMA SAFER Grant Fire Department LED Sign project to Varsity Group Marketing & Signs in the amount of \$44,993.00.

Varsity Group Marketing & Signs	\$44,993.00
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Nesper Sign Advertising	\$44,809.52
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Nagle Signs Inc.	\$47,810.14
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A motion was made by Stewart, seconded by Garrigus to adopt Resolution No. 5442-2023.

Ayes: Weber, Lenz, Garrigus, Seeders, Payne, Stewart

Nays: NA

Motion carried.

15. Consideration of a resolution authorizing temporary closure of public ways or grounds for Oelwein Community High School.

A motion was made by Stewart, seconded by Weber to adopt Resolution No. 5443-2023.

Ayes: Weber, Lenz, Garrigus, Seeders, Payne, Stewart

Nays: NA

Motion carried.

16. Consideration of a resolution authorizing temporary closure of public ways or grounds for Oelwein Rotary Club Events.

A motion was made by Weber, seconded by Garrigus to adopt Resolution No. 5444-2023.

Ayes: Weber, Lenz, Garrigus, Seeders, Payne, Stewart

Nays: NA

Motion carried.

### Motions

17. Consideration of a motion to approve the Loader Snow Pusher from Martin Equipment in the amount of \$9,950.00.

Martin Equipment	\$9,950.00
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Titan Machinery	\$15,800.00
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A motion was made by Garrigus, seconded by Weber to approve Loader Snow Pusher from Martin Equipment in the amount of \$9,950.00. All aye. Motion carried.

18. Consideration of a motion accepting the bid from Estling Junk and Removal in the amount of \$17,365.00 for professional junk abatement services to clean 27 South Frederick.

Estling Junk and Removal	\$17,365.00
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Junk King	\$17,940.00
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A motion was made by Garrigus, seconded by Lenz to accept the bid from Estling Junk and Removal in the amount of \$17,365.00 for professional junk abatement services to clean 27 South Frederick.

All aye. Motion carried.

19. Consideration of a motion approving the recommendation from the Public Safety Committee on the handicap parking space request made by 28 West Charles Street.

A motion was made by Garrigus, seconded by Lenz to approve the Public Safety Committee's recommendation on creating a handicap parking space near 28 West Charles Street.

All aye. Motion carried.

20. Consideration of a motion approving and authorizing signature on the affirmative defense for Oelwein Mart's cigarette permit pursuant to Iowa Code section 453A.22 resulting from a violation of Iowa Code section 453A.2(1) dated February 12, 2023.

A motion was made by Weber, seconded by Lenz to authorize signatures on the on the affirmative defense for Oelwein Mart's cigarette permit dated February 12, 2023.

All aye. Motion carried.

21. Consideration of a motion to approve signatures on the settlement agreement regarding the tobacco violations for Oelwein Liquors.

A motion was made by Garrigus, seconded by Weber to approve the settlement agreement regarding the tobacco violations for Oelwein Liquors. All aye. Motion carried.

22. Consideration of a motion to approve signatures on the settlement agreement regarding the tobacco violations for a Super Mart.

A motion was made by Garrigus, seconded by Weber to approve the settlement agreement regarding the tobacco violations for a Super Mart. All aye. Motion carried.

**Committee Reports**

23. Report from Stewart on the July Airport Board Meeting.

For full minutes, visit: <https://www.cityofuelwein.org/bc-ab/page/airport-board-25>

24. Report from Payne on the August Library Board Meeting.

For full minutes, visit: <https://www.oelwein.lib.ia.us/about/library-board-minutes-1>

**Mayor's Report**

- A. Consideration of a motion to approve the mayor's recommendation to reappoint John Bagge to the Airport Board.

A motion was made by Weber, seconded by Seeders to approve the mayor's recommendation to reappoint John Bagge to the Airport Board. All aye. Motion carried.

Mayor DeVore requested the City Administrator meet with the City Attorney to review Lynch Dallas contract performance.

**City Administrator's Report**

City Administrator Mulfinger stated the weekly updates contain the most up-to-date information regarding current projects and happenings in the city.

**Adjournment**

A motion was made Lenz, seconded by Weber to adjourn the meeting at 6:35PM.

All aye. Motion carried.

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Brett DeVore, Mayor

ATTEST:

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Dylan Mulfinger, City Administrator

I, Dylan Mulfinger, City Administrator in and for the City of Oelwein, Iowa do hereby certify that the above and foregoing is a true accounting of the Council Proceedings held August 14, 2023 and copy of said proceedings was furnished to the Register August 16, 2023.

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Dylan Mulfinger, City Administrator